

Introduced by Senator Machado

February 22, 2005

An act to amend Section 12648.6 of the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 831, as introduced, Machado. Flood control: Stockton Metropolitan Area Flood Control Project.

Existing law authorizes, on a project-by-project basis, and in accordance with designated plans, state participation in federal flood control projects and specifies the degree of cooperation to be assumed by the state and local agencies in connection with those projects. Existing law authorizes, among other specific projects, the Mormon Slough channel improvement project on the Calaveras River.

This bill would adopt and authorize additional project works constructed by the San Joaquin Area Flood Control Agency on the Bear Creek Project and the Mormon Slough Project, collectively known as the Stockton Metropolitan Area Flood Control Project, as prescribed.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 12648.6 of the Water Code is amended
- 2 to read:
- 3 12648.6. (a) The Mormon Slough channel improvement
- 4 project on *the* Calaveras River is adopted and authorized

1 substantially in accordance with the recommendation of the
2 Chief of Engineers in House Document Numbered 576, 87th
3 Congress, and adopted and authorized by the act of Congress
4 approved October 23, 1962 (Public Law 87-874), at an estimated
5 state cost of two million two hundred sixty thousand dollars
6 (\$2,260,000).

7 *(b) The additional project works constructed by the San*
8 *Joaquin Area Flood Control Agency on the Bear Creek Project*
9 *(inclusive of Bear Creek, Paddy and South Paddy Creeks,*
10 *Mosher Creek Diversion, Mosher Slough, Mosher Creek, Bear*
11 *Creek Wing Levee, Pixley Slough, and Little Bear Creek) and the*
12 *Mormon Slough Project (inclusive of Mormon Slough, Potter*
13 *Creek, Stockton Diverting Canal, and Calaveras River),*
14 *collectively known as the Stockton Metropolitan Area Flood*
15 *Control Project, within San Joaquin County, having been*
16 *accepted by the United States Department of the Army Corps of*
17 *Engineers and transferred by the Corps of Engineers to the*
18 *Reclamation Board on July 1, 2003, are adopted and authorized*
19 *substantially in accordance with the Operation and Maintenance*
20 *Manual of the Corps of Engineers dated April 29, 2003, at the*
21 *state cost of twelve million six hundred twenty-five thousand*
22 *dollars (\$12,625,000), the amount previously appropriated by*
23 *Chapter 1057 of the Statutes of 1998.*

24 SEC. 2. This act is an urgency statute necessary for the
25 immediate preservation of the public peace, health, or safety
26 within the meaning of Article IV of the Constitution and shall go
27 into immediate effect. The facts constituting the necessity are:

28 In order to remedy critical flooding problems as soon as
29 possible, thereby protecting public health and safety, it is
30 necessary that this act take effect immediately.